

United States Courts Southern
District of Texas
FILEDUNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS

11/17/2022

Nathan Ochsner, Clerk of Court

UNITED STATES OF AMERICA

Vs.

Felix Jimenez

CRIMINAL COMPLAINT

Case Number: C-22-1243M

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about November 16, 2022 in Brooks County, in the
(Date)
Southern District of Texas, defendant, **Felix Jimenez**

did knowingly or in a reckless disregard of the fact that an alien had come to, entered, or remained in the United States in violation of law, transport, or move or attempt to transport or move such alien within the United States by means of transportation or otherwise, in furtherance of such violation of law

in violation of Title 8 United States Code, Section(s) 1324.
I further state that I am a(n) Border Patrol Agent and that this complaint is based on the
OFFICIAL TITLE
following facts:

See Attached Affidavit of U.S. Border Patrol Agent **Ruben C. Guerra Jr.**

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Submitted by reliable electronic means, sworn to, signature attested telephonically per Fed.R.Crim.P.4.1, and probable cause found on the:


Signature of Complainant
Ruben C. Guerra Jr.
Printed Name of Complainant

November 17, 2022

Date

at

Corpus Christi, Texas

City and State

Mitchel Neurock U.S. Magistrate Judge

Name and Title of Judicial Officer


Signature of Judicial Officer

AFFIDAVIT

The information contained in this report/affidavit is based upon my personal participation in the investigation, which included, but is not limited to information relayed to me by other agents and officers participating in the investigation.

FACTS/DETAILS:

At approximately 8:00 p.m., on November 16, 2022, a gray Chrysler 300, driven by Felix JIMENEZ, entered the primary inspection lane at the United States Border Patrol Checkpoint, near Falfurrias, Texas. The primary agent greeted JIMENEZ and He stated, "I am doing alright. I just went down to the valley to visit my grandma since I am not going to be able to come down for Thanksgiving." The primary agent asked how long he had been in the valley and JIMENEZ stated he came down yesterday. The primary agent noticed JIMENEZ was shifting around in his seat while the inspection was taking place. The primary agent also noticed the door panels appeared to have been removed recently and tampered with. The primary agent asked JIMENEZ if he had had any work done to the vehicle, and JIMENEZ began stuttering and answered, "I'm not sure, this vehicle used to belong to my sister." Due to JIMENEZ's behavior and the signs of tampering, the primary agent asked for consent to x-ray the vehicle and JIMENEZ granted consent. The primary agent directed JIMENEZ to the secondary inspection area for further investigation.

Once in secondary, JIMENEZ revoked consent to x-ray, but granted consent to for a canine screening. The canine handler on duty utilized his service canine to conduct a free-air sniff of the exterior of the vehicle. The service canine alerted to the vehicle and agents conducted a search and found a single male concealed in a speaker box in the trunk of the vehicle. Jose MORALES-Gonzalez was questioned as to his immigration status and he admitted to being a citizen of Guatemala, illegally present in the United States. Both subjects were placed under arrest and escorted into the checkpoint for processing.

MIRANDA RIGHTS WARNING:

All subjects were advised of their Miranda Rights in their respective languages.

PRINCIPAL STATEMENT (Felix Jimenez):

JIMENEZ stated he had been provided with a contact number of someone who could get him a "job." JIMENEZ stated he left Houston, Texas between 10:00 a.m. and 12:00 p.m. JIMENEZ stated he arrived at a shopping center in the Rio Grande Valley sometime in the afternoon. JIMENEZ stated he sent a photo of his surroundings to the facilitator upon arriving at the shopping center. JIMENEZ stated a pick-up truck arrived and dropped off a male subject at the location. JIMENEZ stated he instructed the subject (MORALES) to sit in the backseat of the vehicle. JIMENEZ stated he instructed MORALES to climb into the trunk of the vehicle when they were approximately a mile south of the checkpoint and that he would get him out about thirty minutes after crossing. JIMENEZ stated he was going to receive instructions on where to drop MORALES off once he arrived in Houston, Texas. JIMENEZ stated he was going to be paid \$2,000 for the smuggling attempt.

MAT-WIT STATEMENT: (Jose Morales-Gonzalez)


MORALES stated he left Guatemala about a month and a half ago. MORALES was not able to remember where he was taken after entering the United States illegally. MORALES was unable to provide details regarding the event that transpired prior to his arrest. MORALES was shown a photo-lineup and was able to immediately identify JIMENEZ as the driver of the vehicle he was discovered in. JIMENEZ stated the person he identified was the same person that put him into the trunk.

DISPOSITION:

The facts of this case were presented to the Assistant United States Attorney's Office who accepted Felix Jimenez for prosecution of 8 USC 1324, Alien Smuggling. Jose Morales-Gonzalez will be held as a material witness.


Ruben C. Guerra Jr.
Border Patrol Agent

Submitted by reliable electronic means, sworn to, signature attested telephonically per Fed.R.Crim.P.4.1, and probable cause found on this day November 17, 2022.


Mitchel Neurock
United States Magistrate Judge